



City of Waltham

Jeannette A. McCarthy
Mayor

CITY OF WALTHAM
CITY CLERK'S OFFICE

2018 MAR -8 A 11:25

RECORDED

March 8, 2018

TO: The City Council

RE: Most Recent City Council Request to the Mayor Regarding 334R Prospect Hill
Road and Other Land Purchase Resolutions

Dear Councillors:

In light of what happened with 101R Elm Street, (where the Mayor and City Departments expended time and taxpayers money on a City Council Request and Resolution to buy the property and then the matter was filed by the Council), and in light of the fact that City Council Resolutions are non-binding by Council rules and by definition, to avoid wasted taxpayers money and wasted departmental and executive time, respectfully, I will not proceed on these City Council land acquisition requests without a City Council Order. Please see below.

I am going back to the standard that was used when I was City Solicitor: City Council Order with the following: Authorize the Mayor to enter into a Purchase & Sale Agreement for \$X price, and subject to the following conditions (whatever conditions the City Council desires.) The standard conditions are taken care of by Law and Executive Departments, which include some type of appraisal and a title search. (In the case of Arrigo Farms, since I knew it was a farm in the past, and there is interest in farming that land in the future, a Phase II Environmental was undertaken by me, in addition to the Phase I.)

Sincerely,

Jeannette A. McCarthy

JAM/ccb

Enclosure

cc: Law Department



City Council Request Form

Request: THAT THE Mayor Move Forward
ON THE SALE/PURCHASE OF THE LAND @
334R PROSPECT HILL ROAD FOR AN APARTMENT
AND THAT ALL REQUIRED ACTIONS &
CUSTOMARY ACTIONS TAKE PLACE TO ENSURE
THE CITY HAS PERFORMED A NORMAL
LEVEL OF DUE DILIGENCE FOR SUCH
LAND PURCHASE.

Presented by: Councillor Daniel P. Romard - Ward 1
Councillor (S)

Date: 3-5-18